

BROOKINGS COUNTY COMMISSION MEETING

Tuesday, April 4, 2006

The Brookings County Board of County Commissioners met in regular session on Tuesday, April 4, 2006, with the following members present: Dennis Falken, Emil Klavetter, Donald Larson, Mary Negstad, and Deanna Santema.

CALL TO ORDER

Chairperson Falken called the meeting to order.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CONSENT AGENDA

Chairperson Falken declared the Consent Agenda approved as amended with no objection from the board. The Consent Agenda consisted of the agenda for the April 4, 2006 Commission Meeting, and the minutes from the March 28, 2006 Commission Meeting.

Welfare Matters: Case # 06-036 for lodging was approved; Case # 06-037 for utilities was approved; Case # 06-039 for utilities was approved; Case # 06-040 for utilities was approved.

Travel/Education: Rose Marie Stee to go to Sioux Falls, SD on March 18, 2006 to attend the Horse Fair; to go to Flandreau, SD on April 10, 2006 to attend Program Planning; to go to Lake Preston, SD on April 25, 2006 to attend the After School Program Planning; to go to Pierre, SD on April 27-28, 2006 to attend Youth in Governance; to go to Pierre, SD on April 29-30, 2006 to attend Shooting Sports. Steve Tietjen and Mike Stoltenburg to go to Des Moines, IA on August 17-18, 2006 to attend Identity Theft Training. Joyce Dragseth to go to Sioux Falls, SD on May 4, 2006 to attend the Vanguard Appraisal Workshop. Joyce Dragseth, Cyndi Ault, Larry Klingbile, Chris Lilla, Matt Archer, Jean Stoeber, and Rae Lynn Maher to attend the SDAAO Annual Conference at the Brookings Inn during May 30, 2006 - June 2, 2006.

ROUTINE BUSINESS

Weed and Pest Supervisor, Gary Heldt met with the board to discuss the Chemical Bid Opening, the Weed Board, the Supervisors Meeting, Personnel, Township Letters, Weed & Pest Spraying, and the Marijuana Program.

Emergency Management Director, Todd Struwe met with the board to discuss Departmental Matters, CERT Graduation, the Storm Spotter Meeting, and the ICS & NIMS Classes in Volga, SD. Be it noted, Chairperson Falken signed the 2nd Quarter Report for the South Dakota Emergency Management State and Local Agreement for the Fiscal Year 2006.

Zoning and Drainage Director, Robert Hill met with the board to discuss the Flood Plain Workshop, a Nuisance Complaint, and the upcoming Wind Tower Energy Meeting.

Deputy Auditor, Kelly Bakken presented the board with the Auditor's Report.

Be it noted, the salaries and personnel changes for the month of March 2006 are as follows: Longevity Increase: Brenda Conn \$65.00; Randy Ribstein \$115.00; and Janet Willmott \$140.00. Annual Review/Step: Brenda Conn from \$13.35 to \$13.59; Mike Erickson from \$12.81 to \$13.06; Richard Haugen from \$10.66 to \$10.87; Randy Ribstein from \$15.43 to \$15.70; Candace Stamp from \$14.23 to \$14.51; Steve Tietjen from \$19.85 to \$20.20. New Hires: States Attorney Office Assistant, Cara Caylor @ \$10.66 and 2nd Deputy Treasurer, Nicole Tolk @ \$10.66.

Commission \$16,171.83; Elections \$1,236.23; Auditor's Office \$8,997.06; Treasurer's Office \$12,357.28; States Attorney's Office \$21,566.59; Custodial Buildings \$3,547.25; Director of Equalization \$19,168.75; Register of Deeds \$8,532.55; Veteran's Service Officer \$3,412.90; Sheriff's Office \$36,730.78; County Jail \$32,123.16; Contract Law Enforcement \$6,866.28; Emergency Management \$6,091.75; Drainage \$1,340.09; Highway \$55,789.40; Welfare \$3,286.50; Community Health Nurses \$2,565.56; Women, Infants, & Children \$2,329.28; County Extension \$4,877.40; Weed Control \$3,241.97; Planning & Zoning \$4,420.25.

Be it noted, Chairperson Falken signed claims for the following—AFLAC, insurance \$2,940.46; AFLAC Flex-One \$90.00; Office of Child Support Enforcement, child support \$555.00; Delta Dental, insurance \$2,708.20; Flex One, unreimbursed medical \$1,477.00; Local Teamsters, union dues \$911.00; SDRS, retirement \$31,102.86; SDRS Supplemental, retirement \$3,921.66; EFTPS \$58,472.48; Wellmark Blue Cross, insurance \$48,736.32; Fort Dearborn Life, life insurance \$574.10.

Motion by Santema, seconded by Negstad, to approve the following Automatic Supplement for unanticipated expenses incurred and reimbursement made to Brookings County. Department: Brookings County Sheriff; Amount: \$160.75; Reason: Insurance Reimbursement from 2003 Durango Accident with Deer; Receipt # 95222: Line #10100X4250211. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

REGULAR BUSINESS

Highway Superintendent, Ted Eggebraaten met with the board to present the Annual Bids.

Concrete Culverts and Concrete Deck - Motion by Klavetter, seconded by Negstad, to accept the low bid on all items listed in the bid from Hanson Concrete Products, Sioux Falls, SD and Cretex Concrete Products West, Inc., Rapid City, SD as recommended by the Highway Superintendent for concrete culverts and concrete deck. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

<u>Concrete Culverts</u>	Cretex Concrete Products West, Inc., Rapid City	Hanson Concrete Products, Sioux Falls	<u>Concrete Deck</u>	Cretex Concrete Products West, Inc., Rapid City	Hanson Concrete Products, Sioux Falls
18" round	15.64	14.37	40' exterior	3,254.00	3,335.00
18" arch	25.74	24.73	40' interior	2,876.00	3,724.00
18" flared end section	174.00	221.98	50' exterior	4,581.00	4,618.00
24" round	21.88	19.79	50' interior	4,140.00	5,300.00
24" arch	38.86	36.21	65' exterior	5,737.00	5,870.00
24" flared end section	305.16	266.74	65' interior	5,170.00	6,665.00
30" round	32.24	29.39			
30" arch	50.28	56.46			
30" flared end section	371.60	340.04			
36" round	40.52	41.45			
36" arch	64.56	64.71			
36" flared end section	518.80	524.05			

Metal Culverts & Bridge Materials– Motion by Negstad, seconded by Larson, to accept the low bid on all items in the bid from Huron Culvert and Tank Company, Huron, SD as recommended by the Highway Superintendent for metal culverts and bridge materials. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

<u>Metal Culverts</u>	Huron Culvert & Tank Co., Huron	Central Culvert Supply, Pierre	<u>Bridge Materials</u>	Huron Culvert & Tank Co., Huron	Central Culvert Supply, Pierre
12" round	6.15	7.46	10" - 42# H Piling	.35/lb.	-
18" round	9.23	10.48			
18" arch	10.07	11.41	Metal Bridge		
24" round	12.31	14.47	Decking		
24" arch	16.69	15.13	2'x10'-12ga	140.00	-
30" round	18.52	21.69	2'x12'-12ga	168.00	-
30" arch	19.63	22.35	10 gal sheet		-
36" round	22.12	26.09			
36" arch	23.24	26.84	Metal Flex Beam		
48" round	40.78	48.11	Guard Rail		
48" arch	42.27	49.09	12-1/2'	5.50	-
60" round			25'	5.50	-
60" arch					
72" round	64.35	74.61	Terminal Ends		
72" arch	68.25	76.40	to fit 12-1/2' or 25'	28.00/ea	-
84" round	74.74	84.50			
84" arch	79.60	87.60	Galvanized Sheet Pile		
96" round	85.12	96.22	10 Gauge	7.00sq.ft.	
96" arch	90.94	101.03			
108" round	122.46	133.35			
108" arch	129.27	136.90			

Road Oil – Motion by Santema, seconded by Negstad, to award to Flint Hills Resources LP from Marshall, MN (Koch Materials) as specified based on the recommendation of the Highway Superintendent for road oil. Roll Call Vote: Role Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried.

<u>Road Oil</u>	Koch Materials Marshall MN	Jebro Inc Sioux City IA	Koch Materials Marshall MN	Jebro Inc Sioux City IA
High Float Emulsions	1.1959		Asphalt cutback	
MC 70-800	1.7899		MC-3000	1.4299
CRS-2P	1.1959		MC-3000R	1.4363
AE 150-300	0.9909			

As scheduled, Attorney, Alan Glover met with the board to present the Resolution # 06-15; A Resolution for KINGBROOK RURAL WATER SYSTEM, INC. for a County Franchise. Motion by Larson, seconded by Klavetter, to approve and authorize Chairperson Falken to sign Resolution # 06-15; A Resolution for KINGBROOK RURAL WATER SYSTEM, INC. for a County Franchise. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Resolution # 06-15

WHEREAS, KINGBROOK RURAL WATER SYSTEM, INC., a South Dakota non-profit Corporation, organized and doing business as a rural water system, under the laws and statutes of the State of South Dakota, and engaged in the distribution and sale of water did on the 17th day of March, 2006, file in the office of the County Auditor in the County of Brookings, State of South Dakota, an Application requesting the right and franchise to construct, maintain and operate along, upon and over all of the public highways of the county, rural water pipelines for rural water purposes, for the purpose of operating a rural water system in said county, and

WHEREAS, said Application came on for hearing before the County Commissioners of Brookings County, State of South Dakota, on the 4th day of April, 2006, at the hour of 9:00 o'clock A.M., in the Chamber of the County Commissioners in the City of Brookings, South Dakota, and it appearing that due and timely notice of said hearing having been given by mail by the County Auditor to all persons, firms and corporations owning or operating electric transmission, telegraph or telephone lines on or along any part of the public highways and roads of the county, all in accordance with the laws and statutes of the State of South Dakota pertaining thereto, and

WHEREAS, the matter having been heard and considered by the Board of County Commissioners, and it appearing to the satisfaction of said Board that KINGBROOK RURAL WATER SYSTEM, INC., is in compliance with and willing to comply with the provisions of Chapter 31-26 SDCL and good cause appearing therefore, now therefore,

BE IT RESOLVED by the Board of County Commissioners of the County of Brookings, State of South Dakota, that the Application of KINGBROOK RURAL WATER SYSTEM, INC., be and the same is hereby granted, and the right and franchise to construct, operate and maintain water pipelines, in, under and across county and township roads for purposes of operating a rural water system in said county, be and the same is hereby granted to said KINGBROOK RURAL WATER SYSTEM, INC., for a period of twenty (20) years from

and after the date hereof; said franchise being subject to the conditions set forth in Chapter 31-26 SDCL and such further reasonable regulations as this County or the Legislature may hereafter prescribe.

Introduced, passed and approved this 4th day of April, 2006, at Brookings, South Dakota.

Dennis Falken
Chairman of the Board of County Commissioners

ATTEST:

Janet K. Willmott
County Auditor

Highway Superintendent, Ted Eggebraaten met with the board to continue with the Annual Bids.

3/8" Pea Rock – Motion by Klavetter, seconded by Santema, to accept the low bid as recommended by the Highway Superintendent for 3/8" pea rock. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

<u>Pea Rock</u>	LG Everist Inc Sioux Falls SD	Bowes Construction Brookings SD
12,000 ton Pit location	4.25/ton Brookings	-

Bituminous Hot Mix - Motion by Negstad, seconded by Klavetter, to accept the low bid as specified based on the recommendation by the Highway Superintendent for bituminous hot mix. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

<u>Bituminous Hot Mix</u>	Bowes Construction Brookings SD	McLaughlin Watertown SD	Myrl & Roy Sioux Falls SD
Bid A	39.89/ton		
Bid B	37.13/ton		
Bid C	43.22/ton		
Bid D without quartzite	31.50/ton		
Bid D with quartzite	36.50/ton		
Total A-C	965,730.00		

3/4" Crushed Gravel – Motion by Santema, seconded by Negstad, to accept the low bid as recommended by the Highway Superintendent for 3/4" Crushed Gravel. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried.

<u>3/4" Gravel</u>	Bowes Construction Brookings SD	Larry Sterzinger	Brownlee Construction
North Part 3/4" Crushed Gravel	1.63/ton	1.96/ton	
South Part 3/4" Crushed Gravel	1.63/ton	2.10/ton	

Equipment Rental – Motion by Klavetter, seconded by Negstad, to accept all bids on rental equipment and direct the Highway Superintendent to use the low bid first, according

to availability. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

<u>Equipment Rental</u>	V.J. Ahlers	Harold Asmus	Bowes Const.	Butler Bid without operator Based on 176/hr per month	Faber Const.
Dozers			D-6 117.00/hour	D-6 6400.00/month	
Excavators	200hp 140.00/hour 1600hp/120.00/hour		Cat 330 160.00/hour	330 9000.00/month	
Recycling machine			Cat PM 350 350.00/hour		
Motorgraders			Cat 140G 85.00/hour	140-H 7800.00/month	
Rubber tire asphalt pavers					
Rubber tire rollers			62.00/hour	3800.00/month	
Scrapers			Cat 637 175.00/hour	175hp 9000.00/month	
Steel faced rollers			60.00/hour	CS433C 4100.00/month	
Trucks	Tandem 67.00/hour 22yd side-dump 87.00/hour		Single 65.00/hour Double 85.00/hour		
Water Truck			75.00/hour		

<u>Equipment Rental</u>	Friedrich, C.	Prussman Const.	Rounds Const.	Sterzinger	Willmott
Dozers				D65 195hp 110.00/hour	
Excavators				48000# 98.00/hour	
Recycling machine					
Motorgraders				80.00/hour	
Rubber tire asphalt pavers					
Rubber tire rollers				70.00/hour w/trailer 25.00/hour w/o trailer	
Scrapers				TS 14 125.00/hour	
Steel faced rollers				70.00/hour self prop 70.00/hour pull type	
Trucks				80.00/hour	
Water Truck					

Motion by Larson, seconded by Negstad, to approve and authorize Chairperson Falken to sign Abatement Application # 06-10 from Rolfe Behrend in the amount of

\$586.56 for the 2005 taxes; the property described as: Tract 2 Arter Addn. 09-109-50, Parcel # 12007-10950-09302. Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion Carried.

Director of Equalization, Joyce Dragseth met with the board to discuss and hold the Annual County Conference according to SDCL 10-3-14 to discuss the Director of Equalization's performance of duties. Be it noted, a satisfactory performance appraisal was preformed in January 2006.

Treasurer, Vicki Buseth and Deputy States Attorney, Wm. Mark Kratochvil met with the board to discuss a Joint Powers Agreement between the Unified Judicial System and the Brookings County Commission. Allowing the County Treasurer to access to civil money judgment information without an access fee in order to complete statutory duties pursuant to SDCL 10-56-12. Motion by Santema, seconded by Negstad, to approve and authorize Chairperson Falken to sign the Joint Powers Agreement between the Unified Judicial System and the Brookings County Commission. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

Motion by Klavetter, seconded by Larson, that the Application for Condemnation of Right-of-Way of Bruce Abrams be denied for the reason that the property involved adjoins a section of line right-of-way for at least 66 feet and that a passable road could be built in such right-of-way, therefore the land involved is not an isolated tract within the definition of SDCL 31-22-1. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried.

Motion by Larson, seconded by Negstad, to authorize Chairperson Falken to sign the Core Agency Form stating East Central Mental Health is a Core Service Agency, and is approved to provide alcohol and drug prevention and treatment services in Brookings County. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Klavetter "Aye," Falken "Aye." Motion Carried.

Dick Edenstrum with First District met with the board to give the First District Update.

Commission Assistant/Human Resource Director, Stephanie Vogel met with the board to discuss Personnel, a Request to Create & Fill a Vacancy, the Spring Work Shop, the VFW Appreciation Night, the Department of Health, County Health Officers, a GIS update on parcel layers, and the State Association Legislative Update.

Be it noted, the Board approved the following Personnel Action Notices: New Hires: Detention Center Nurse, Valerie Eaton @ \$19.86/hour and Part-time Female Correctional Officer, Cris Breffle @ \$12.31/hour.

Commission Assistant/Human Resource Director, Stephanie Vogel and Weed and Pest Supervisor, Gary Heldt met with the board to discuss the Request to Create and Fill

Vacancy for a Brookings County Weed and Pest Department, Assistant Weed and Pest Supervisor. Motion by Negstad, seconded by Larson, to approve and authorize Chairperson Falken to sign the Request to Create and Fill Vacancy for the Assistant Weed and Pest Supervisor in the Brookings County Weed and Pest Department. Motion by Negstad, seconded by Klavetter, "to call the question." Roll Call Vote: Negstad "Aye," Santema "Aye," Klavetter "Aye," Larson "Aye," Falken "Aye." Motion to Call the Question Carried. Roll Call Vote: Santema "Aye," Klavetter "Aye," Larson "Aye," Negstad "Aye," Falken "Aye." Motion Carried.

COMMISSIONER'S OPEN DISCUSSION

Commissioner Negstad reported on the Brookings Fireman's Feed and the Volga Municipal League Meeting.

Commissioner Larson reported on the Brookings Fireman's Feed, the Volga Municipal League Meeting, and the upcoming Government Affairs Meeting, the Park Project Meeting, and Soil Conservation Meeting.

Commissioner Santema Brookings Fireman's Feed, the Volga Municipal League Meeting, the Event Center Meeting, and invitations received.

Commissioner Klavetter reported on the Volga Municipal League Meeting and the upcoming Planning and Zoning Board Meeting.

Commissioner Falken reported on the Brookings Fireman's Feed and the Volga Municipal League Meeting.

EXECUTIVE SESSION

Motion by Santema, seconded by Klavetter, to go into executive session at 10:24am. Roll Call Vote: Klavetter "Aye," Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye." Motion Carried. Chairperson Falken declared executive session over at 11:02am. Reason - Legal Matters. No action at this time.

ADJOURNMENT

There being no further business, Chairperson Falken declared the meeting adjourned until 8:30am Tuesday, April 11, 2006.

It is the policy of Brookings County, South Dakota, not to discriminate against the Handicapped in Employment or the Provision of Service. The County of Brookings is responsive to requests for communication aids and the need to provide appropriate access, and will provide alternative formats and accessible locations consistent with the Americans With Disabilities Act.

Kelly Bakken
Deputy Auditor
Brookings County Auditor's Office